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Important legal cases of the 19th century – James Hadfield

The case of James Hadfield was of importance as it highlighted the inadequacies of the law as it stood and pointed the way towards improvement.

James Hadfield was a brave and loyal dragoon, who was obviously mentally ill and there can be little doubt that this was associated with, or had been precipitated by, severe brain damage sustained during service in Flanders as one of the Duke of York's bodyguard, all of which must have excited the deepest sympathy on his behalf. There was abundant evidence given at his trial that Hadfield was subject to outbursts of terrifying illness, during one of which he had threatened the life of his own child because he said he had been commanded by God to do so. He entertained the bizarre delusion that, although he must die to save the world, he must not die by his own hand. He therefore tried to assassinate the King, thus guaranteeing his own demise. On the 15th May, 1800, he attempted to put his plan into effect by firing a pistol at George III as he entered the royal box at Drury Lane Theatre. He failed to hit the royal target by 12 inches: he was immediately disarmed by bystanders and arrested.

The charge brought against him was that of treason and he was brought to trial with a remarkable expedition six weeks after the event. He was provided with counsel for his defence, and it was his good fortune that Thomas Erskine, often described as 'the brightest ornament of which the English bar can boast', took the case. Erskine's defence was masterly. He called a number of lay witnesses to testify to Hadfield's madness, and as a medical witness, called Dr Crichton (Creighton, as his name is spelt in the

transcript of the trial) of Bethlem Hospital who had examined Hadfield at Newgate the night before the trial began. So convincing, indeed, was Erskine's defence that the Lord Chief Justice stopped the trial and directed the jury to find Hadfield 'Not Guilty: he being under the influence of Insanity at the time the act was committed'.

The verdict was fraught with judicial anomalies and difficulties. Hadfield obviously posted a threat to himself, to his family, and possibly to the King, so that it was imperative for him to be detained, in spite of the fact that his detention was patently illegal. Legislation was perforce passed in great haste and made restrospective. It provided that if 'any Person, charged with Treason, Murder, Felony' was found to have been 'insane at the Time of the Commission of such Offence' and hence acquitted, the Court shall 'order such Persons to be kept in strict custody, in such Place and in such Manner as to the Court shall seem fit, until His Majesty's Pleasure shall be known.' In this instance, there being no other suitable place, Hadfield was committed to Bethlem Hospital, where, apart from a spell in Newgate following an escape from the hospital, he was cared for until his death in 1841.

The importance of Hadfield's case is that it provided for a special verdict, 'Not guilty, being under the influence of Insanity at the time the act was committed'. It created a new category of offenders, 'criminal lunatics' – a wholly undesirable term – and it caused an immediate change in the law so as to oblige the Court, when a person was found insane, to order his safe custody in some suitable place 'until His Majesty's Pleasure shall be known'.

Hadfield's trial was significant, since it led to the Criminal Lunatics Act 1800, which provided powers to hold those found not guilty on the ground of insanity 'at His Majesty's pleasure', and it was followed by state funding of criminal lunatic accommodation at Bethlem. The state entrenched its role by negotiating in 1814 for special male and female criminal lunatic wings at Bethlem's new site at Southwark. The state also continued to support many criminal lunatics in a variety of establishments across England and Wales, including private asylums and even workhouses. After considerable discussion about the issue and prevarication about the cost, Parliament passed the Criminal Lunatics Asylum Act 1860, which led to Broadmoor and ultimately to the modern system of special hospitals.

References

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